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IN THE

Supreme Court of the United States

IN THE MATTER OF THE APPLICATION OF DOUGLAS JOEL RAYMOND FOR ADMISSION TO THE PRACTICE OF LAW WITHOUT EXAMINATION

On Petition For A Writ Of Certiorari To The Supreme Court Of Ohio

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PETITION FOR A WRIT OF CERTIORARI

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QUESTION PRESENTED

The Rules of the Supreme Court of Ohio, which enumerate specific requirements for the admission to the practice of law, expressly provide that an application for admission shall be granted or denied by the Supreme Court of Ohio in the exercise of its discretion. Petitioner Douglas Joel Raymond, a non-resident of the State of Ohio, is a member in good standing of the bars of the States of Colorado, Michigan and Missouri. The question presented is whether the Supreme Court of Ohio's discretionary denial, with no notice, no hearing and for no stated reason, of an application for admission to the practice of law which apparently satisfies all of the enumerated requirements violates the Due Process Clause of the Fourteenth Amendment.

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PETITION FOR A WRIT OF CERTIORARI

Petitioner Douglas Joel Raymond respectfully submits this petition for a writ of certiorari to review the judgment of the Supreme Court of Ohio.

JUDGMENT BELOW

The judgment of the Supreme Court of Ohio denying the application of Douglas Joel Raymond for admission to the practice of law in the State of Ohio is unpublished and unreported. The sole documentary evidence of the judgment of the Supreme Court of Ohio is reproduced herein as Appendix A.

JURISDICTION

The Supreme Court of Ohio entered its judgment on November 10, 2009. The jurisdiction of this Court is invoked under 28 U.S.C. § 1257(a). On January 26, 2010 Mr. Justice Stevens granted an extension of time within which to file a petition for a writ of certiorari in this case to and including March 9, 2010.

CONSTITUTIONAL PROVISIONS INVOLVED

The Fourteenth Amendment to the Constitution of the United States provides, in relevant part:

> No State shall . . . deprive any person of life, liberty or property, without due process of law.

U.S. Const. amend XIV, § 1.

STATEMENT

This Court, for over one hundred years, has held consistently that "[a] State cannot exclude a person from the practice of law or from any other occupation in a manner or for reasons that contravene the Due Process . . . Clause of the Fourteenth Amendment." *Schware v. Bd. of Bar Exam'rs*, 353 U.S. 232, 238-39 (1957) (citing *Dent v. West Virginia*, 129 U.S. 114 (1889)). This is true because "the right is not 'a matter of grace and favor.'" *Willner v. Comm. on Character and Fitness*, 373 U.S. 96, 102 (1963) (quoting *Ex parte Garland*, 71 U.S. 333, 379 (1867)).

It is equally well established by this Court that the essential requirement of due process is that any "deprivation of life, liberty or property 'be preceded by notice and an opportunity for hearing appropriate to the nature of the case.'" *Cleveland Bd. of Educ. v. Loudermill*, 470 U.S. 532, 542 (1985) (quoting *Mullane v. Cent. Hanover Bank & Trust Co.*, 339 U.S. 306, 313 (1950)). This is true because "fairness can rarely be obtained by secret, one-sided determinations of facts decisive of rights. . . . 'Secrecy is not congenial to truth-seeking and self-righteousness gives too slender an assurance of

rightness.'" *Goss v. Lopez*, 419 U.S. 565, 580 (1975) (quoting *Joint Anti-Fascist Refugee Comm. v. McGrath*, 341 U.S. 123, 170, 171 (1951) (Frankfurter, J., concurring)).

This case affords this Court the opportunity to reaffirm or, if necessary, clarify its fundamental procedural due process jurisprudence. The Supreme Court of Ohio has set forth specific, detailed and seemingly exhaustive requirements for admission to the practice of law without examination. *See* Ohio Sup. Ct. Rules for Gov't of the Bar R. I, § 9. Despite the enumeration of these requirements, the Supreme Court of Ohio explicitly states that "in its sole discretion [it] shall approve or disapprove the application" of any attorney who seeks admission to the practice of law without examination in the State of Ohio. *Id.* at § 9(F). In addition, "it is the practice of the Ohio Supreme Court never to grant a hearing or state reasons for its decision when it denies an application for admission to practice law without examination." *Raymond v. Moyer*, 501 F.3d 548, 555 (6th Cir. 2007).

The facts of the instant case illustrate the procedural operation of the bar admission process in the State of Ohio. Douglas Joel Raymond, a resident of the State of Colorado, seemingly meets and far exceeds the enumerated requirements for admission to practice law in the State of Ohio. He graduated from the University of Denver School of Law in 1981 and has been admitted to the practice of law in the States of Colorado, Michigan and Missouri. At all

times relevant herein, Douglas Joel Raymond has been honored to possess an AV rating from Martindale-Hubbell, a designation conferred upon only the most competent and prominent attorneys in the United States.

It has not, and cannot, be disputed that Douglas Joel Raymond fully satisfies the good character and fitness requirements for the admission to the practice of law in the State of Ohio. In Ohio, the Board of Commissioners on Character and Fitness have the final authority to "approve applicants who possess the requisite character, fitness, and moral qualifications for admission." Ohio Sup. Ct. Rules for Gov't of the Bar R. I, § 10(B)(4). Only in the event that a committee of the Board of Commissioners makes a recommendation other than an unqualified approval does the process proceed to a hearing on the applicant's character and fitness. In that case the applicant must be given a copy of the unfavorable report by certified mail. *Id.* at § 12(F).

In the instant case Petitioner Douglas Joel Raymond never received any notification of any question regarding his good character and fitness. Thus, it was determined by the Ohio Board of Commissioners on Character and Fitness, as it has been on three prior occasions by the bars of the States of Colorado, Michigan and Missouri, that Douglas Joel Raymond satisfies the character and fitness requirements for admission to the practice of law in the State of Ohio. Furthermore, the Supreme

Court of Ohio has no authority or jurisdiction to review a favorable decision by the Ohio Board of Commissioners on Character and Fitness. *Id.* at § 10(B)(4).

The past legal practice of Petitioner Douglas Joel Raymond also appears to clearly demonstrate that he possesses the legal skills adequate to practice law without further examination as required by the Rules of the Supreme Court of Ohio. *Id.* at § 9(F)(1)(b). In addition to his AV rating from Martindale-Hubbell and having, previously been determined to possess such legal skills by the States of Colorado, Michigan and Missouri, Douglas Joel Raymond has been admitted to practice pro hac vice in the courts of the State of Ohio on more than forty (40) separate occasions. Under the law prevailing in the State of Ohio admission to practice pro hac vice is based on the following three-part balancing test: 1) Whether the attorney has a long-standing, close or personal relationship with the plaintiffs; 2) Whether the attorney is customary counsel for plaintiffs in the jurisdictions where he is permitted to practice; and 3) Whether there is Ohio counsel currently available to the plaintiffs that is competent to represent them with respect to the issues involved in the case. *State v. Ross*, 36 Ohio App. 2d 185, 197 (Ct. App. 1973).

Petitioner Douglas Joel Raymond concentrates and limits his legal practice to the representation of plaintiffs in obstetrical and neonatal medical malpractice cases. Given the nature of his legal practice, Douglas Joel Raymond is never able to

satisfy the first two factors of the governing test for pro hac vice admission in the State of Ohio. Thus, on over forty (40) separate occasions the courts of the State of Ohio have determined that he not only possesses the legal skills adequate to practice law in the State of Ohio, but also that he possesses legal skills that no other available Ohio lawyer is competent to provide.

Petitioner Douglas Joel Raymond also has the requisite intent to practice law in the State of Ohio actively on a "regular and continuing basis." Ohio Sup. Ct. Rules for Gov't of the Bar R. I, § 9(C)(1)(d). In addition to affirming his intent to practice law in the State of Ohio on a continuing basis in an affidavit sworn to under oath with the attendant legal penalties for perjury, two objective facts confirm the sincerity of the intention of Douglas Joel Raymond to practice regularly in the State of Ohio. First, his past and ongoing pro hac vice practice in the State of Ohio is itself indicative of an intent to practice law in Ohio on a continuing basis. In addition, Douglas Joel Raymond informed the Supreme Court of Ohio, upon his sworn oath, that he had made arrangements, upon his admission, to establish a law office in Ohio with a respected member of the Ohio bar and from which he would conduct his law practice in the State of Ohio.

Petitioner Douglas Joel Raymond first applied for admission to the practice of law without examination on October 1, 2004. On May 25, 2005 the Supreme Court of Ohio denied his application

without providing him with any hearing, any opportunity to respond to any alleged deficiencies in his application or any reason for the denial. On September 13, 2005 Douglas Joel Raymond filed a motion for clarification and/or reconsideration with the Supreme Court of Ohio in which he requested that he be provided with some explanation, justification or reason for the denial of his application and offered to provide the Supreme Court of Ohio with any additional information or documentation deemed relevant by the Court. On November 8, 2005 the Supreme Court of Ohio again notified Douglas Joel Raymond that his application for admission had been denied. Again, the Supreme Court of Ohio refused to provide any reason or explanation for the denial.

On December 27, 2005 Douglas Joel Raymond filed an action in the United States District Court for the Southern District of Ohio challenging the constitutionality of the action of the Supreme Court of Ohio. On appeal, the United States Court of Appeals for the Sixth Circuit held that the action of the Supreme Court of Ohio was judicial in character and therefore the lower federal courts had no jurisdiction under the *Rooker-Feldman* doctrine, despite the fact that Douglas Joel Raymond had received no notice, hearing or statement of reasons by the Supreme Court of Ohio. *Raymond*, 501 F.3d 548. The United States Court of Appeals for the Sixth Circuit expressed sympathy for Raymond's argument, stating: "The possibility for abuse is high when a court can hide its reasoning and knows that

its decision is virtually unreviewable, and this possibility raises particular concerns when, as in this case, the decision can carry with it severe collateral consequences." *Id.* at 553.

Petitioner Douglas Joel Raymond filed the instant application for admission to the practice of law without examination in the State of Ohio on January 16, 2008. This application is virtually identical to his first application. On November 10, 2009 the Supreme Court of Ohio again denied the application of Petitioner Douglas Joel Raymond for admission to the practice of law in the State of Ohio. Again, the Supreme Court of Ohio refused to provide Douglas Joel Raymond any hearing, any opportunity to respond to any alleged deficiencies in his application or even any reason for its denial of his application.

REASONS FOR GRANTING THE PETITION

This Court should grant certiorari because the rules and practices of the Supreme Court of Ohio directly contravene this Court's clearly established principle that the Due Process Clause requires notice and a hearing before an attorney may be denied admission to practice law in a State.

The issue presented by this petition is critically important to the bench, the bar and the people of America generally. As the American Bar Association has clearly recognized, our rapidly

changing national economy necessitates that both individual attorneys and law firms be able to establish their practices in different States without the imposition of artificial and unjustifiable barriers. *See generally ABA Report of the Committee on Multijurisdictional Practice*, (Aug. 2002) http://www.abanet.org/cpr/mjp/final_mjp_rpt_6-5.pdf (last visited Jan. 26, 2010). In an age of increasing specialization in the practice of law, the rules and practices of the Supreme Court of Ohio, whereby attorneys are denied admission to the bar as a matter of unbridled discretion and with no statement of the reason for such denial, operate to deny competent counsel of choice to individuals, corporations and public interest groups whose complex legal needs require specialized legal expertise, often not available in the State in which they reside.

The issue presented by this petition is also one of major significance to this Court and its jurisprudence. A State court's discretionary denial of an attorney's application for admission to the practice of law with no stated reason severely impairs this Court's ability to insure that the State court is adhering to the mandates of the Constitution of the United States generally, including the Privileges and Immunities Clause, the Equal Protection Clause and the First Amendment. Absent notice, a hearing and a statement of the reason for a State court's denial of such an application, this Court cannot insure that the application was denied for a legitimate, as opposed to an illegitimate reason.

Indeed, this Court's *Rooker-Feldman* doctrine, which is founded on the premise that a State court's bar admission process is judicial in character and adheres to the fundamental principles of due process, imposes a special obligation on this Court to insure that State courts in fact adhere to the Due Process Clause because it is the only court which has the jurisdiction to do so.

I. THE OHIO SUPREME COURT'S DISCRETIONARY DENIAL WITH NO NOTICE, NO HEARING AND NO STATED REASON OF AN ATTORNEY'S APPLICATION FOR THE ADMISSION TO THE PRACTICE OF LAW DIRECTLY CONTRAVENES THE FUNDAMENTAL REQUIREMENTS OF THE DUE PROCESS CLAUSE.

This Court has clearly established in a long and unbroken line of precedent that, "'A State cannot exclude a person from the practice of law or from any other occupation in a manner or for reasons that contravene the Due Process Clause . . . of the Fourteenth Amendment.'" *Willner*, 373 U.S. at 102 (quoting *Schware*, 353 U.S. at 102); *see also Bratton v. Chandler*, 260 U.S. 110 (1922); *Dent*, 129 U.S. 114.

In *Board of Regents v. Roth*, 408 U.S. 564 (1972), this Court favorably cited *Goldsmith v. United States Board of Tax Appeals*, 270 U.S. 117 (1926), to illustrate when a person has a property interest which mandates the procedures guaranteed by the Due Process Clause. The facts in *Goldsmith* are substantially similar to those in this case. The

Board of Tax Appeals, like the Ohio Supreme Court, set forth rules for the admission to practice before it, but those rules, like the Ohio Supreme Court rule here, further provided that the Board in its discretion could deny admission to an applicant. 270 U.S. at 119. The Board, like the Supreme Court of Ohio herein, denied the application at issue with no statement of any reason for its action. *Id.* In *Roth* this Court held that "the existence of the Board's eligibility rules gave the petitioner an interest and claim to practice before the Board to which procedural due process requirements applied." 408 U.S. at 577 n.15. In short, it has long been recognized by this Court that an applicant for admission to the practice of law has a property interest such that "the requirements of procedural due process must be met before a State can exclude a person from practicing law." *Willner*, 373 U.S. at 102.

The action of the Supreme Court of Ohio, in addition to depriving an attorney applicant the right to practice law in the State, severely damages the applicant's professional reputation, thereby infringing upon a liberty interest protected by the Due Process Clause. *See Wisconsin v. Constantineau*, 400 U.S. 433 (1971). An attorney is required to disclose the denial of an application for admission to the practice of law in the State of Ohio to his legal malpractice insurance carrier and to the Supreme Court of any other State to which a future application for admission to the bar may be made.

The denial by the Supreme Court of Ohio also impairs an attorney's ability to practice pro hac vice in Ohio courts. An attorney is ethically obligated to disclose the fact of the denial of admission to the bar both to the court and to opposing counsel. This disclosure is especially damaging because leave to appear pro hac vice is entirely discretionary with the court. *Leis v. Flynt*, 439 U.S. 438, 443 (1979). In addition, Ohio Prof. Conduct R. 5.5(b)(1) (2010) prohibits an attorney who has not been admitted to practice in Ohio from establishing "a systematic or continuous presence [in Ohio] for the practice of law." Thus, Petitioner herein, who has previously appeared pro hac vice over forty (40) times in the courts of Ohio, runs the risk of incurring a disciplinary complaint if he does so in the future. In other words, Petitioner may be in the curious position of having practiced too continuously in Ohio to do so pro hac vice in the future, but not continuously or regularly enough to be admitted to the practice of law in the State of Ohio.

The denial of admission to the practice of law by the Supreme Court of Ohio severely damages an applicant's professional reputation in yet another manner. The judgment of the Supreme Court of Ohio invites the applicant to seek admission by the alternative means of taking and passing the Ohio Bar Examination. *See, e.g.*, Appendix A, *infra*. This clearly implies that the reason for the denial is that the applicant fails to "currently possess[ ] the legal skills deemed adequate for admission to the practice of law in Ohio without examination." Ohio Sup. Ct.

Rules for Gov't of the Bar R. I, § 9(F)(1)(b). In summary, attorneys who apply for admission to the practice of law in the State of Ohio have both a property and a liberty interest such that the procedures guaranteed by the Due Process Clause must be afforded the applicant.

The Ohio Supreme Court's discretionary denial, with no notice, no hearing and no statement of any reason, of an attorney's application for admission to the practice of law violates the most rudimentary requirements of the Due Process Clause. At a minimum the Due Process Clause requires notice, access to the government's evidence and an opportunity to respond. *See, e.g., Brock v. Roadway Express, Inc.*, 481 U.S. 252 (1987); *Loudermill*, 470 U.S. 532; *Goss*, 419 U.S. 565. In *Willner*, this Court held that a full hearing, with the right to cross-examine witnesses, is essential in a bar application proceeding. The Court need not address the specific procedures required by the Due Process Clause in this case because the Supreme Court of Ohio, acting in secret and exercising its sole discretion with no notice, no hearing of any kind and no statement of any reason for its decision, fails to provide even the most basic procedures required by the Due Process Clause.

In *Goss*, this Court, quoting Mr. Justice Frankfurter's famous concurring opinion in *McGrath*, held: "[F]airness can rarely be obtained by secret, one-sided determination of facts decisive of rights. . . No better instrument has been devised for arriving at

truth than to give a person in jeopardy of serious loss notice of the case against him and opportunity to meet it." 419 U.S. at 580 (quoting 341 U.S. at 170, 172-73).

The denial of admission to the practice of law in a State must be preceded by, at a minimum, rudimentary due process. This Court should grant the petition for certiorari and reaffirm the basic principles of fairness contained in the Due Process Clause of the Fourteenth Amendment.

II. THE QUESTION PRESENTED IS EXCEPTIONALLY IMPORTANT TO THE LEGAL PROFESSION AND TO ALL WHO RELY UPON IT FOR THE ADMINISTRATION OF JUSTICE.

The question presented is exceptionally important to the bench, the bar and the American people who rely on our system of justice to provide them with competent legal representation. This Court bears a unique obligation in this matter because it is the only Court with jurisdiction to review state court denials of applications for admission to the practice of law. *D.C. Court of Appeals v. Feldman*, 460 U.S. 462 (1983). The *Rooker-Feldman* doctrine assumes that the state courts will adhere to the fundamental requirements of procedural fairness mandated by the Due Process Clause of the Constitution of the United States. Nevertheless, the rules prevailing in a small number of States, including Connecticut, Illinois, Iowa, Ohio

and Virginia, fail to provide bar admission applicants with the required procedural protections. *See* Conn. Super. Ct. Rules Regulating Admission to the Bar, § 2-13 (2010); Ill. Sup. Ct. R. 705 (2004); Iowa Sup. Ct. R. 31.12 (2009); Ohio Rules of Gov't of the Bar R. I, § 9 (2010); Va. Sup. Ct. R. 1A:1-3 (2008).

A grant of certiorari in this case is essential to the preservation of the judicial integrity and the appearance of judicial propriety of the Supreme Court of Ohio and of high courts in other states whose members are selected in popular elections. It has long been recognized that, "[t]he plea that evidence of guilt must be secret is abhorrent to free men, because it provides a cloak for the malevolent, the misinformed, the meddlesome, and the corrupt . . . . " *United States ex. rel. Knauff v. Shaughnessy*, 338 U.S. 537, 551 (Holmes, J., dissenting).

Judicial election contests in the State of Ohio have become hotly contested and involve the candidates' public discussion of legal issues of public concern, including tort reform. *Cf. Republican Party v. White*, 536 U.S. 765 (2002). In Ohio, a majority of the justices sitting on the Ohio Supreme Court have raised thousands of dollars in campaign contributions almost exclusively from doctors, hospitals, insurance companies and insurance defense law firms. *See, e.g.*, Catherine Turcer & Brandi Whetstone, *Just the Beginning: November 2, 2003 - February 11, 2004 Contributions to Candidates for Chief Justice and Justice of the Ohio Supreme Court*, (Feb. 2004), http://www.ohiocitizen.

org/about/reports.html (last visited Jan. 26, 2010); The Ohio Citizen Action Education Fund, *Campaign Finance Profiles for General Election Candidates for the Ohio Supreme Court*, http://www.ohiocitizen.org (last visited Jan. 22, 2010). In the course of this campaign fundraising and their judicial campaigns, members of the Ohio Supreme Court have specifically criticized the lawyers who represent medical malpractice claimants and promised to provide judicial assistance to their campaign benefactors. *See, e.g.*, Emily Heller, *Ohio: Attack Ads, Big Money Set Tone Again this Year*, Nat'l L.J., October 28, 2002, at 1; *NW Ohio Counties Key in Taft Landslide*, The Blade (Toledo, OH), Nov. 7, 2002 (Justice Evelyn Lundberg Stratton promises that doctor's efforts on her behalf will "pay off"). It has even been asserted that the rulings of the Ohio Supreme Court are influenced by the financial interests of the campaign contributors to the justices of the Court. Adam Liptak & Janet Roberts, *Campaign Cash Mirror a High Court's Rulings*, N.Y. Times, October 1, 2006 at A1. When the Ohio Supreme Court provides no notice, no hearing and no statement of any reason for its denial of an application for admission the applicant cannot know why his application was denied. What is known is that absent intervention by this Court, discretionary secret decision-making by the Supreme Court of Ohio will continue unabated and the appearance that financial interests trump impartial justice in Ohio will remain.

A grant of certiorari in this case is also necessary to preserve the integrity and continued viability of much of this Court's constitutional jurisprudence governing the bar admissions process in the States. The constitutionality of a State official's action in a particular matter commonly depends not on the action taken by the official, but on the reason for the action. Thus, the Supreme Court of Ohio may certainly require proper qualifications from applicants for admission to the practice of law, but:

> Obviously an applicant [for admission to the practice of law] could not be excluded merely because he was a Republican or a Negro or a member of a particular church. Even in applying permissible standards, officers of a State cannot exclude an applicant when there is no basis for their finding that he fails to meet these standards, or when their action is invidiously discriminatory.

Schware, 353 U.S. at 239 (citing *Yick Wo v. Hopkins*, 118 U.S. 356 (1886)).

The Privileges and Immunities Clause of Article IV, § 2 of the Constitution of the United States prohibits a State from discriminating against non-residents unless "(i) there is a substantial reason

for the difference in treatment; and (ii) the discrimination practiced against nonresidents bears a substantial relationship to the State's objective." *Supreme Court of N.H. v. Piper*, 470 U.S. 274, 284 (1985). New residents of a State are similarly protected from discrimination because of their status as newcomers. *Saenz v. Roe*, 526 U.S. 489 (1999). Thus, this Court has held that a State may not deny a person admission to the practice of law because he or she does not reside in the State. *Piper*, 470 U.S. 274. Neither may a State deny admission to the practice of law to an attorney for the reason that his or her law office is not located in the State. *Frazier v. Heebe*, 482 U.S. 641 (1987). Nor is the availability of an alternative means of being admitted to the bar, such as passing a bar examination, a reason sufficient to justify discrimination against non-residents or new residents of a State. *Supreme Court of Va. v. Friedman*, 487 U.S. 59 (1988). Each of these holdings of this Court is premised on the legitimacy and sufficiency of the reasons asserted by the State for its action. If the Supreme Court of Ohio is permitted to continue its practice of denying admission to the practice of law with no notice, no hearing and no statement of any reason for its action then this Court's constitutional precedents are an empty promise, devoid of any meaning or practical effect. This petition should be granted in order to preserve the dignity and respect to which this Court and its holdings are entitled.

This Court should grant certiorari in this case because the issue presented is critically important to

the practicing bar throughout the nation. Thirty-five years ago this Court recognized that the practice of law is an integral component of our national economy. *Goldfarb v. Va. State Bar*, 421 U.S. 773 (1975). In the intervening years, rapid developments in communication and transportation technology have only accelerated the globalization of business and finance. The changes in our national economy in the past few years emphasize the necessity of a legal profession that adapts to these changed circumstances.

The days when lawyers established their law offices in a single jurisdiction and served the needs of only local residents and businesses are past. Individual lawyers and large law firms alike must be able to move their practices to new jurisdictions as the need for their services dictates. It is for these reasons that the American Bar Association has recognized that it is critically necessary for States to reform their rules so that non-resident attorneys may be admitted to the practice of law, both on permanent and temporary basis, in a fair, orderly and predictable manner. *See ABA Report, supra.* The practice of the Ohio Supreme Court of denying applications for admission to the practice of law with no notice, no hearing and no statement of any reason is anathema to the needs of the legal profession. No manager of a law firm and no individual attorney can properly plan for the future when the outcome of an application for admission to the bar of a State is entirely unpredictable and uncertain.

Perhaps the most important reason why this petition should be granted is because of its importance to the clients of the practicing bar. The importance of insuring the availability of competent counsel of choice cannot be understated. This Court is aware of, and often must deal with, the consequences of persons and corporations being unrepresented or represented by incompetent counsel. *See, e.g., United States v. Gonzalez-Lopez*, 548 U.S. 140 (2006); *Powell v. Alabama*, 287 U.S. 45 (1932).

Today corporations, public interest groups and individuals often have complex legal needs which require specialized legal expertise not available in the State in which they reside. This is vividly illustrated by the facts of the instant case. Here, the Supreme Court of Ohio, in the exercise of its unbridled discretion and with no notice, hearing or statement of any reason, denied the application for admission to the practice of law of an attorney who had been determined by the courts of the State of Ohio on over forty (40) separate occasions to have specialized legal skills which no other available Ohio lawyer could competently provide to the client. These facts alone demonstrate that it is critically important that this Court grant this petition and reaffirm its clearly established rule that the Due Process Clause of the Fourteenth Amendment requires that an attorney be given notice, a hearing and a statement of reasons before an application for admission to the practice of law may be denied.

CONCLUSION

For the foregoing reasons, this petition for a writ of certiorari should be granted.

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